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PLANS

OF

PARLIAMENTARY REFORM,

Proved to be Visionary,

IN A LETTER TO

The Reverend C. W YVILL,

Late Chairman of the Associations.

By GEORGE CROFT, D.D.

Late Fellow of University College, Vicar of Arncliffe, Lecturer of St. Martin's in Birmingham, and Chaplain to the Earl of Elgin.

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LETTER, &c.

REVEREND SIR,

I had flattered myself that the proceedings of the associations in Yorkshire, and other counties would have been consigned to everlasting oblivion. I feel a full and irresistible conviction in my own mind that the evils complained of were greatly exaggerated, and that the remedies proposed for those which exist, were visionary.

Whatever difference there is in rank and fortune, I beg leave to inform you that I bring to this enquiry a mind equally independent with your own, that the subject of Representation has engaged my serious attention for many years, and that amidst the various changes of administration which have happened, my opinion has been invariably the same.

What may appear to you paradoxical, all the accounts of elections in counties and boroughs, which I could ever collect, the whole history of all the proceedings of all the associations, and

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the history of boroughs lately published in three volumes octavo, have confirmed me in a persuasion that every change would be more than useless.

We are so much accustomed to the cant of *wise* and *enlightened* and *liberal* as epithets applied to a certain description of men, that I will incur the charge of egotism sooner than use a language so often and so easily perverted to the sinister purposes of party.

It would be decent, in those noblemen, who think it right to extend the privilege of suffrage, to resign their own influence in boroughs, and to afford that latitude for which they contend.

Many of you have assumed as a fundamental proposition that every subject of this kingdom having a claim to life and liberty as well as to the produce of his labour, should, of consequence, have a right to vote for a representative.

That such a right was once exercised cannot be denied. But the eighth of Henry VI. c. 7, will shew you why that right in county elections was limited to freeholders of a certain description. I appeal to the preamble of that act, I
appeal

appeal to your own knowledge of contested elections, and will fairly ask you whether from the melancholy instances of human depravity, which those elections exhibit, it be not desirable that the right should only be conferred on those who will exercise it with propriety, with decency, and in peace. Much tumult and riot, much idleness and ebriety would be avoided, the manufactures and the agriculture of the kingdom would be attended to without interruption.

If you consult the disinterested inhabitants of those Boroughs, in which the election is confined to a few principal burgesses, they will add their fullest testimony in favour of this delegated trust. They will congratulate themselves and their neighbours, upon being exempt from all the evils of a riotous mob, and from many of the evils of party rancour.

But why so much clamour against delegated power in elections? Does the merit of a candidate depend upon the *number* of those who elect him? Do not ten men frequently act better than ten thousand? Are not fewer than eight hundred appointed in this kingdom to legislate for more than eight millions? If merit depend upon num-

bers, we must condemn the Grenville act itself, an act confessedly wise, and salutary to the freedom of election.

The historian of the boroughs, when he did not find proprietors, often found men, whom he styled patrons, but whom he wished to have considered as exercising tyranny over the electors of certain places.

But this patronage, in many instances, is owing to vicinity, to ancient connexion; in others it is neither hereditary nor quite personal, for the next election may produce a change.

But ridicule, satire, and invective know no bounds when directed against boroughs commonly called *rotten*. The people indeed are easily persuaded that when a Lord or an opulent commoner can nominate members, their immunities are in imminent danger.

But why is it assumed that such persons must always act with sinister and corrupt intentions? Why must we suspect that every one who wears a coronet, or who possesses a large estate, will trample upon the rights of his fellow subjects? If the government be overturned, the largest proprietor

prietor must be the greatest sufferer. Another point is taken for granted which is by no means true, that those, who accept the nomination of a noble or opulent proprietor, are, as to their parliamentary conduct, under his direction. Without pretending to an universal knowledge of the present House of Commons, I would undertake to disprove the point, and I would undertake to prove that were such a yoke imposed upon some gentlemen I personally know, it would be spurned. I might perhaps go much farther, and shew that parties thus connected have frequently voted at particular times, and others almost constantly, in opposition to each other.

There is so much delicacy in being either the accuser or even the panegyrist of living characters, that I must leave every cool and dispassionate man to do that for himself, which no one will undertake for him. Let him examine the list of members returned for the last fifty or sixty years, let him compare those who have been returned under influence, and those who have been returned at popular elections. He will find many of the former who have deserved great praise, he will find many of the latter who have not escaped just censure. He will find that the members for Old

Sarum have been as respectable as the members for Middlesex or Yorkshire.

He must in all cases make allowances for human infirmity, and he must not esteem it always virtuous to have opposed, nor always vicious to have supported, administration. He must remember that other passions, besides the desire of honour or profit, will gain ascendancy. The love of popularity is as often fatal to integrity as the love of gain. The morose philosopher feels as much pride as the most ambitious statesman.

Sir Robert Walpole's systematical corruption has almost passed into a proverb. Succeeding times have done him that justice which his contemporaries denied him. His aversion to war was founded upon the real interest of the nation, and his proposed regulations in the excise were similar to those which have now taken place. The evils of smuggling which these regulations have, comparatively speaking, done away, are more numerous than is generally imagined. Smugglers are a species of thieves and banditti, and it is much more fatal to corrupt the morals, than it is to injure the property, of the nation. Fifty years ago, Sir Robert Walpole was supposed to

to be sheltered against impeachment, and the subject of it has not yet transpired.

Without the least intention to depreciate hereditary honours, and hereditary property, I cannot but think it of infinite service to the community that so many professional men find their way into the House of Commons. There are questions arising every day, to which these respective professions furnish proper and adequate answers.

Who can be more proper to assist in enacting new laws, than they whose daily practice is to examine, to explain, and enforce the old? Who can judge of commercial questions so well as commercial gentlemen? Who can assist in the regulations of the army and the navy so well as those who have been engaged in the service of their country.

An invidious distinction is sometimes made between a gentleman and a professional man, and we have been often told that the former will speak more to the purpose than the latter.

The truth is, that when the latter sees and points out difficulties which have escaped the former, he is charged with too minute an attention to technical distinction, and is supposed wantonly

to impede the course of business. That logical differences should be much out of fashion with superficial minds, is no wonder, but to these differences we owe much of the excellence of our laws, and much of the prudence and impartiality with which they are interpreted and executed.

Whoever has attended our courts of justice, or our senate, will remember with singular satisfaction the elocution of the lawyers, and though he may not give them the exclusive merit of oratory, yet he will find but few equal, scarce any preferable.

That every one is pleased with the ornaments of speech will be readily admitted, but even these may be introduced with too much profusion. Substantial knowledge is the best remedy against such an extreme, and substantial knowledge is generally found in the greatest abundance among those who have had the greatest interest in acquiring it. He, generally speaking, will be better informed who makes it his business to gain information than he, who makes it only his amusement; he who resides in the metropolis, and more especially he who bears the burden and heat of the day, in Westminster hall, has an infinite

nite advantage over him, who spends much of his time in fashionable circles, or in rural retirement.

We are told that advantage and promotion are constantly in the minds of professional men, and that if their attainments be ever so respectable, their integrity will be sacrificed to their interest.

It is not considered that there are, and there always have been, some lawyers in opposition, as well as on the side of administration, that the political line of conduct in many was adopted long before they became senators, that if they be eminent in their profession they enjoy considerable emoluments and a kind of independence much superior to many country gentlemen, and that many country gentlemen themselves have favours to ask, and objects to obtain, which occasionally render them obsequious to the minister.

There is an advantage in admitting lawyers into the House of Commons, of which superficial observers are not aware. If it be true that in courts of justice those cases are best determined which have been most fully argued, it may by parity of reason be presumed that the House will decide

decide best after hearing all that can be said on each side of the question. By the way, it appears to me that the House of Lords is much benefited by having the two chief justices incorporated with them.

It is said, that the assistance of the judges in the Upper House, and of Counsel in the Lower, will command all the necessary legal assistance.

Bodies of men, like individuals, are not always aware of their own wants; and their own danger. Many are in want of a physician, who go about with all the confidence of being healthy and vigorous.

Lawyers may be considered as so many state physicians, vigilant in guarding against present and future evils, vigilant too in checking the presumption of adventurous and conceited empiricks.

If no man could find his way into the House of Commons, who was not connected with the electors of any particular place, many useful members both in the profession of the law, and in other professions would be excluded.

There

There are, moreover, many independent gentlemen of no profession, who would never attempt to go into parliament, if they were to suffer the persecution of a popular canvass. This persecution does not end with the poll. The numberless and absurd solicitations, the impertinence and insolence of many borough electors are intolerable. Of one it was said what is true of others, that the representatives must buy snuff for their constituents.

I feel no consternation from the return of the sons and brothers of peers. The opposition of party in each house, together with the notoriety of their proceedings, is a greater security against tyranny and oppression, than the check of elected upon hereditary senators. How many peers owe their present eminence in their own house to their former attendance in the House of Commons? Habits of legislation, like other habits, are best acquired in the early part of life, and so many sources of information upon every interesting topick are now opened, that the youngest may profit by the labours of the others, if they have modesty and diligence sufficient to consult them.

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The example of our ancestors is strongly pleaded on this subject of parliamentary reform. But they were not scrupulous as to extent of district, or the number of electors. The largest county sent the same number of representatives with the smallest.—In the distant days of imaginary purity, the knights of the shire looked down with contempt upon the burgesses, who in their turn relinquished their charge as soon as they had voted the supplies. In those halcyon days too, we have an instance of two burgesses being returned by one lady.—

Andrew Marvel is mentioned with distinguished honour as being the last who received pay from his constituents. Where will you find it possible to make this a precedent?

But it will be found that much of the clamour against unequal representation arises from one of the grossest errors, of which the perverseness of man can be guilty, it is an error of modern patriotism, calculated indeed to serve electioneering purposes, and to flatter the people; in a word, it is the error which has degraded a senator in the House of Commons from the dignified character of a guardian of all the rights of all the people, to the petty minion of a small district.

As

As the removal of this error will be of the utmost consequence to prove the futility of modern schemes of reformation, I shall cite respectable authorities, authorities, the weight of which it will never be in the power of associators or reformers of any description to diminish, authorities, which will be quoted with respect, when all the associators in this kingdom shall have sunk into oblivion.

Mr. Plowden, in his *Jura Anglorum*, a book of infinite merit, gives the following extract from Blackstone's *Commentaries*—“ Every member, “ though chosen by one particular district, when “ elected and returned, serves for the whole realm, “ for the end of his coming thither is not par-“ ticular but general, not barely to advantage his “ constituents, but the commonwealth, to advise “ his majesty (as appears by the writ of summons) “ de communi consilio super negotiis quibusdam “ arduis & urgentibus regem statum & defensi-“ onem regni Angliæ & Ecclesiæ Anglicanæ con-“ cernentibus, and therefore he is not bound “ like a deputy in the united provinces, to con-“ sult with, or take the advice of any of his consti-“ tuents upon any particular points, unless he him-“ self think it proper and prudent so to do.”

To

To the same purport De Lolme.

“ Those deputies, though separately elected, “ do not solely represent the town or county that “ fends them, as is the case with the deputies of the “ United Provinces of the Netherlands, or of the “ Swiss Cantons, but when they are once admitted, “ they represent the whole body of the nation.”

On the third of November, 1774, Mr. Edmund Burke gave the following reasons for not obeying the dictates of his constituents :

“ Certainly, Gentlemen, it ought to be the “ happiness and glory of a representative to live “ in the strictest union, the closest correspondence, “ and the most unreserved communication with “ his constituents. Their wishes ought to have “ great weight with him, their opinion high re- “ spect, their business unremitting attention. It “ is his duty to sacrifice his repose, his pleasures, “ his satisfaction to theirs, and above all, ever “ and in all cases to prefer their interest to his “ own. But his unbiassed opinion, his mature “ judgment, his enlightened conscience he ought “ not to sacrifice to you, to any men, to any set “ of men living—these he does not derive from “ your pleasure, no, nor from the law and the “ constitution—they are a trust from Providence, “ for

“ for the abuse of which he is deeply answerable.
 “ Your representative owes you not only his in-
 “ dustry, but his judgment, and he betrays, in-
 “ stead of serving you, if he sacrifices it to your
 “ opinion.

“ My worthy colleague says, his will ought to
 “ be subservient to yours. If that be all, the
 “ thing is innocent. If government were a mat-
 “ ter of will on any side, yours without question
 “ ought to be superior. But government and
 “ legislation are matters of reason and judgment,
 “ and not of inclination; and what sort of reason
 “ is that in which determination precedes the dis-
 “ cussion, in which one set of men deliberate,
 “ and another decide, and when those who form
 “ the conclusion are three hundred miles distant
 “ from those who hear the argument?

“ To deliver an opinion is the right of all men;
 “ that of constituents is a weighty and respectable
 “ opinion, which a representative ought always
 “ to rejoice to hear, and which he ought always
 “ most seriously to consider. *But authoritative in-*
“ structions, mandates issued, which the member is
“ bound blindly and implicitly to obey, to vote
“ and to argue for, though contrary to the clear-
“ est conviction of his judgment and conscience,
“ these are things utterly unknown to the laws of
“ the

“ the land, which arise from a fundamental mis-
 “ take of the whole order and honour of our
 “ constitution.

“ Parliament is not a congress of ambassadors
 “ from different and hostile interests, which in-
 “ terests each must maintain as an agent and ad-
 “ vocate against other agents and advocates, but
 “ parliament is a deliberative assembly of *one*
 “ nation with *one* interest, that of the whole.
 “ You choose a member indeed, but when you
 “ have chosen him, he is not a member of Bris-
 “ tol, but a member of parliament. If the lo-
 “ cal constituents should have an interest, or
 “ form an opinion, evidently opposite to the real
 “ good of the rest of the community, the mem-
 “ ber of that place ought to be as far as any
 “ other from any endeavour to give it effect.”

To these let me add,

Lord Percival's answer to the people of West-
 minister (see Burgh's Political Disquisitions, vol.
 I. p. 182.)

“ Gentlemen,

“ You are welcome upon all occasions,
 “ and I look upon this application as a fresh
 “ instance

" instance of your friendship. As I never
 " concealed my principles from you, so I will ne-
 " ver depart from them. The only motives that
 " direct my conduct are the preservation of the
 " constitution of my country, the security of the
 " present Royal Family upon the throne, and the
 " common liberty of Europe. These views I
 " shall always think inseparable. In the profe-
 " cution of them my judgment may, my heart
 " shall never, fail me. I remember on my part,
 " that to your independent voice I owe my seat
 " in parliament, on yours you will not forget that
 " I ought to be independent there. When I dif-
 " fer from your sentiments, I shall do it with
 " great reluctance, and then only when I am
 " convinced that *your truest interest must extort it*
 " *from me*. In such a case the crime is equal to
 " flattery, popularity, or to court power. It be-
 " comes me to respect both, but it is my duty to
 " follow neither, beyond those limits which the cir-
 " cumstances of time, prudence, necessity, and the
 " public safety can alone determine."

Were instructions to be sent at all, they
 should be sent by the majority of constitu-
 ents. But the majority are not proper judges.

“ The greatest part of those who compose the multitude (says De Lolme, p. 229) taken up with the care of providing for their subsistence, have neither sufficient leisure, nor even (in consequence of their imperfect education) the degree of information requisite for functions of this kind. Nature, besides, who is sparing of her gifts, has bestowed upon only a few men an understanding capable of the complicated researches of legislation, and as a sick man trusts to a physician, and a client to his lawyer, so the greatest number of the citizens must trust to those who have more abilities than themselves for the execution of things, which, at the same time that they so materially concern them, require so many qualifications to perform them, with any degree of sufficiency.”

To the illiterate part of mankind, we may add a higher class, who read the publications of the day, who make a conspicuous figure in spouting societies, or are known by the name of coffee-house politicians. How happily these last were ridiculed by G. A. Stevens we all remember.

I believe that many of the corresponding members of your association were scarce equal to this

class. It was fortunate for many of them that they did not write.

One of your first meetings opened with no favourable symptom of moderation and good temper. A gentleman, as respectable in his private character as any one present, was hissed, and though the whole body must not be charged with the illiberal behaviour of a part, though the chairman reprobated such behaviour, yet the dæmon of malignity had taken possession of too many, among whom I could name an individual whose age and whose profession rendered him inexcuseable.

During my residence in Yorkshire, I had frequent occasion to lament the very great agitation discoverable in the most placid, the most social, the most benevolent minds. To attempt to argue was useless, the invidious names of courtiers, ministerialists, and time-servers, were bestowed upon many, who had, and who expected to have as little connexion with courts and ministers as yourselves.

To record all the extravagances and excesses of private conversation in what a learned Counsel called the *dog-days* of your patriotism would be uncandid. At the same time I request every

friend to the constitution and the peace of this country to be assured, that all *pretended Reformers* aim at much more than they dare to avow.

Your praises and your censures were dealt out with great freedom, and with an air of great importance. Let me remind you what Dr. Johnson said to the lady, “ Before you were so lavish of “ your praise, you should have considered whether “ it was worth having.”

So little were you acquainted with the dignity of office, that you returned thanks to Mr. Justice Gould for *an opinion*, and you meant too an indirect reflection on the other judges. The citizens of London, indeed, exceeded you, for they offered the freedom of the city in a gold box.

A notable discovery was made during the time of the riots, and communicated with great confidence by many of your members, *That the conflagration of Lord Mansfield's papers and MSS. was a fortunate incident.*

You imputed the evils of the American war, to inequality of representation and corruption. But in private conversation some of you were compelled to confess that the *country gentlemen* voted for it, amused

amused with the hope of a permanent revenue.

Mankind are much influenced by events. The merits of the unfortunate dispute are not now before us. It is only a fact which I have to state, that many respectable and disinterested individuals out of the two Houses, as well as in them, recommended coercive measures.

In estimating the conduct of our senators, it is taken for granted that the interest of the minister must be distinct from that of the people, whereas, when a minister's popularity is expiring, he is under the necessity of quitting the helm.

You must excuse what will appear to you a paradox, that the number which voted for Mr. Dunning's proposition proved, that *the influence of the Crown was not increasing, but that it was diminished*, otherwise that number would have been much smaller.

An independent spirit is so essential to the character of a good senator, that we cannot sufficiently praise those gentlemen who disdained the yoke which associators endeavoured to impose.

Requare

Requare nolo, liber ut non sein mihi—which I will thus translate;

If my suffrage can't be free,
St. Stephen's were a gaol to me.

Mr. Lascelles's letter to the freeholders of Yorkshire, condemned as it was by the associators, shall be presented to the reader without comment.

“ To the gentlemen, clergy, and freeholders of the county of York :

“ Gentlemen,

“ I have had the honour to represent the county of York in three successive parliaments. I have been diligent in my attendance, and have performed my duty with a clear and unbiassed conscience. I have now an opposition declared against me, for what reason I do not know, except that I am not disposed to obey the dictates of the associators at York. I do not wish to serve you upon such terms. I will never go to parliament in fetters, nor did I, nor ever will I disguise my sentiments, which all go to the support of the constitution both in church and state.

“ I

“ I avow myself an enemy to tumult, sedition,
 “ and rebellion, and will never support any but
 “ a British interest. Consistently with that I am a
 “ friend to the people, and am determined to
 “ preserve my independency, yielding neither to
 “ any influence of ministers, or any clamours of
 “ a faction.

“ Upon these principles I should esteem it a
 “ high honour to be returned for this great
 “ county, and shall be thankful for your support.

“ I am, Gentlemen, &c.

“ EDWIN LASCELLES.”

Whether it was pusillanimity or fear, or whatever it was that induced Sir George Saville to attend a partial meeting called on purpose to rivet new shackles upon the intended representative, he certainly should not have been there. He was offering an indirect insult to that part of his constituents, who had been as sanguine in his interest as they were in condemning the principles of the associators. It is not my design to argue how far he deserved the general compliments of a statue, but the guardians of his fame have selected, for remembrance, somewhat unfortunately, his presentation of a petition from Yorkshire. The presentation of a petition may be requisite, but it is not meritorious.

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With all its boasted signatures, it was not the petition of the majority, and the menaces with which it was presented, approached very nearly to sedition. Insinuations of danger, revolts, or tumults, are always hazardous, *notwithstanding the authority of some who modestly stile themselves the constitutional society, and the friends of the people, and of others who as modestly stile themselves Reformers.*

The mode, in which signatures to such petitions are obtained, beggars all description, and baffles all ridicule. Mandates are issued to tenants and dependent freeholders (the most zealous champions for pretended liberty, being themselves most tyrannical) and names are solicited by agents on market-days at the market-cross. The alleviation of taxes is a palmary argument, and an expert penman will annex many names besides his own, some real, and some fictitious. At best, on all such occasions, you attempt, to use Mr. Neckar's expression, "to give the people opinions without being able to give them knowledge."

If Reformation were necessary, the associators of Yorkshire were, generally speaking, very unequal to the office of Reformers. To most of them *the post of honour was a private station.* Many wanted knowledge, many wanted coolness and moderation.

To

To equalise representation is a visionary attempt. The suffrage of him who possesses forty shillings per annum is equal to his who has the largest estate. But can the influence be equal? I feel no alarm from the inequality. The great proprietor is better educated, is more independent, may have more enlarged ideas, and the zeal of his exertions for the safety of property, may increase in proportion to his private share.

It has been said that no person should vote in more than one place. Whether you admit that representation be local, or otherwise, I shall contend that suffrage should follow property. A freeholder possessing property in different counties, may justly say, while my privilege was burdensome, it was not withheld, why should it be taken away when that burden is removed? Residence near a candidate gives knowledge, but it also creates prejudice. From the open and easy communication existing in this kingdom, the characters of candidates are easily known, and he who has property in various counties may be presumed from the accumulation of that property, to exercise his right in each with greater purity and publick spirit.

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I hope

I hope it has been fully proved that you have greatly exaggerated the evils of our present mode of representation, and while frail men must be the electors of frail men no change can provide against abuses.

If you will excuse the comparison, I must take from your minus, and I must take from your plus, and if the balance be trifling, let us bring the account to an amicable conclusion. Like contending parties in a court of justice, we may be considerable losers, we cannot be material gainers by a contest.

To speak without a figure, let us not assimilate present evils to those which the Reformation and Revolution have effectually removed. And as the most desirable changes have their inconvenience, partly owing to the frailty, and partly to the perverseness of mankind, let us not forget that the Reformation has given apparent sanction to all the delusions of sectaries, to a jealousy against ecclesiasticks, and to murmurs against their remaining property, and that the Revolution has given apparent sanction to the cabals of sedition, and to the reveries of republicans, to principles which would shake the throne from its

its foundation, and annihilate that prerogative, which obsequiousness cannot enlarge, and, as we hope, faction will never be able to contract.

Having, as I think*, clearly proved upon a former occasion, that Dr. Price, instead of being that liberal, that meek, that candid man you would represent him, was coarse, virulent, and malignant. I shall only remind you at present, that he advanced one of the grossest falsehoods that could be uttered by the mouth of man, namely, that *much of the depravity of the kingdom is owing to the defects in our liturgy.*

Of the papers and documents which you intend to publish, I only wish the real friends of the constitution may have patience to read them; your defence will be your condemnation.

Of yourself, as chairman of the spleenetic and querulous, of Dr. Priestley, of Mr. Whitbread, of Mr. Grey, and Major Cartwright, I shall ever say, *Da istos patronos adversariiſ†.* Of Mr. Grey in particular, the advocate of the dissenters and the retailer of their calumny, the clergy of Birmingham, *of whom he says he can believe any thing*, will ever think it immaterial what he believes.

* Preface to the Sermon on the Test Laws.

† May our adversaries ever have such advocates.

The

The most brilliant talents may be disgraced by turbulence of disposition, and by the wantonness of censure.

As to yourself, I hope I have proved that much of your complaint is groundless, and as the French have stricken the first blow, your advice to Mr. Pitt is useless.

The laudable attempts which have been used to convince the lower classes of the people that they are happy, have already been more successful than we expected, and I console myself that the whole community is represented in the proper sense of representation, not only by the House of Commons, but by the House of Peers, and by our gracious Sovereign himself. They act in our stead, and they cannot ruin us without being involved in the ruin.

I am,

Sir,

Your obedient Servant,

G. CROFT.

BIRMINGHAM,

May 9, 1793.

